

STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK REGULATIONS
TITLE 23, DIVISION 3, CHAPTER 16, CCR
AMENDMENTS FOR IMPLEMENTATION OF SB 989

January 9, 2001

MODIFICATIONS OF PROPOSED TEXT OF REGULATIONS

2637. Secondary Containment Testing and Annual Maintenance Certification

(a) Secondary containment systems installed on or after January 1, 2001 ~~all secondary containment of underground storage tank systems, including, but not limited to, open secondary containment, lined trench systems, under-dispenser containment, and sumps,~~ shall be tested upon installation, 6 months after installation, and every 36 months thereafter. Secondary containment systems installed prior to January 1, 2001 shall be tested by January 1, 2002~~3~~ and every 36 months thereafter. Secondary containment testing shall be conducted as follows:

(1) By December 31, 2002, ~~t~~The owner or operator of any secondary containment system that the owner or operator determines cannot be tested in accordance with this section shall replace the secondary containment system with a system that can be tested in accordance with this section. As an alternative, the owner or operator may submit a proposal and workplan for enhanced leak detection to the local agency in accordance with subdivisions 2644.1 (a)(1), (2), (4), and (5) by July 1, 2002; complete the program of enhanced leak detection by December 31, 2002; and replace the secondary containment system with a system that can be tested in accordance with this section by July 1, 2005. ~~, in accordance with subsections 2644.1(a)(1), (2), (4), and (5), submit a proposed program of enhanced leak detection to the local agency by October 1, 2001. The local agency shall review the proposed program of enhanced leak detection within 30 45 days of submittal or re-submittal. After approval by the local agency, the owner or operator shall implement the program no later than January 1, 2002. Additionally, the owner or operator shall replace this secondary containment with a system that can be tested in accordance with this section on or before July 1, 2005.~~

(2) Secondary containment systems shall ~~must~~ be tested to test criteria no less stringent than those used at installation. Additionally, secondary containment systems shall be tested in accordance with manufacturer's guidelines ~~and~~ or standards. If there are no manufacturer's guidelines or standards, secondary containment systems must be tested using an applicable method specified in an industry code or engineering standard. If there are no manufacturers guidelines, industry codes, or engineering

standards a test method approved by a state registered professional engineer shall be used. ~~In lieu of testing in accordance with manufacturers guidelines, industry code, or an engineering standard, the local agency may approve the method.~~

- (3) Secondary containment testing shall be performed by either a licensed tank tester, licensed tank installer, or any person meeting the requirements of subsection 2637 (b)(1).
 - (4) Underground storage tank owners and operators shall submit a copy of the test report to the local agency within 30 days of the completion of the test.
 - (5) Owners and operators of underground storage tanks must notify the local agency at least 48 hours prior to conducting the test, unless this notification requirement is waived by the local agency.
 - (6) Secondary containment systems where the continuous monitoring automatically monitors both primary and secondary containment, such as systems that are hydrostatically monitored or under constant vacuum, are exempt from periodic secondary containment testing.
- (b) All monitoring equipment used to satisfy the requirements of this article shall be installed, calibrated, operated and maintained in accordance with manufacturer's instructions, and certified every 12 months for operability, proper operating condition, and proper calibration. Written records shall be maintained as required in section 2712. On or after January 1, 2002 the following shall also apply: ~~annual certification of monitoring equipment shall be conducted as follows:~~
- (1) ~~Persons~~ A person performing installation, repair, maintenance, calibration, or annual certification of monitoring equipment ~~the annual monitoring equipment certification~~ shall meet the following requirements:
 - (A) Possess a current Class "A" General Engineering Contractor License, C-10 Electrical Contractor License, C-34 Pipeline Contractor License, C-36 Plumbing Contractor License, or C-61 (D40) Limited Specialty Service Station Equipment and Maintenance Contractor License issued by the Contractors State License Board.
 - (B) Be trained and certified by the manufacturer of the monitoring equipment; and,
 - (C) Be re-certified by the manufacturer ~~upon~~ by completion of a manufacturer's refresher course. ~~every 36 months.~~ Additionally, this certification shall be renewed at the time interval recommended by the manufacturer, or every 36 months, whichever is shorter.

- ~~(2)~~ **Individuals employed by persons performing installation, repair, maintenance, calibration, or annual certification of monitoring equipment for the purpose of conducting this work shall meet the requirements of 2637(b)(1)(B) and (C).**
- ~~(2)~~ **(3) Annual The monitoring equipment certification shall be made on a “Monitoring System Certification” form (see Appendix VI).**
- ~~(3)~~ **(4) UST owners and operators shall submit a completed “Monitoring System Certification” form to the local agency within 30 days after completion of the inspection.**
- ~~(4)~~ **(5) The UST owner or operator shall notify the local agency at least 48 hours prior to conducting the installation, repair, replacement, calibration, or certification of monitoring equipment unless the notification requirement is waived by the local agency**
- ~~(5)~~ **(6) A person conducting UST monitoring equipment certification shall affix a tag/sticker on each monitoring equipment component that is being certified, repaired, or replaced. The tag/sticker shall be placed in a readily visible location and shall include the date the UST component was certified, repaired, or replaced, and the contractors license number.**

Authority cited: Sections 25299.3 and 25299.7, Health and Safety Code.

Reference: Sections 25281, 25284.1, 25291 and 25292, Health and Safety Code ; 40 CFR 280.41.